



Cont.P.No.2771 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED 08.12.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Contempt Petition.No.2771 of 2023
& Sub Application(OS).No.827 of 2023

Blue Mount Paper and Board Ltd.,
HTSC No.167, No.104, B-1, Rani
ManagammaSalai, Sourth Veeravanallur,
Tirunelveli – 627 417,
Repd., by its Director,
AswinBalasubramanian.

.. Petitioner

Vs.

1.Thiru.RajeshLakhoni I.A.S,
The Tamilnadu Generation and Distribution,
Corporation Ltd(TANGEDCO)
144, Anna Salai, Chennai – 600 002,
Represented by is Chairman.

2.Er.P.Chandra Sekaran,
The Consumer Redressal Forum,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

3.Er.P.Chandra Sekaran,
The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.



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4.C.Veeralakshmanan,
The Accounts Officer/Revenue
The Superintending Engineer office,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli.

.. Respondents

Prayer:Contempt petitions filed under section 11 of the Contempt of Courts Act, to punish the respondents for their act of committing Contempt of Court by disobeying the order of this Hon'ble Court in W.P.No.27591 of 2023 dated 21.09.2023.

For Petitioner : Mr.S.P.Parthasarthy

For Respondents : Mr.S.Madhusudanan

ORDER

This petition is filed requiring this Court to initiate an action for civil contempt against the third respondent.

2.Earlier, the petitioner herein had laid W.P.No.27591 of 2023 and it pertains to certain matter pending before the CGRF. This Court Vide its



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impugned order dated 21.09.2023 directed an enquiry into the dispute raised by the petitioner but, specifically instructed that the Superintending Engineer, who has raised a claim on the petitioner should not be the Authority who preside over the proceedings of CGRF. Despite the same, the third respondent who has generated the claim against the petitioner, which is involved in the writ petitioner, has passed his proceedings dated 28.09.2023, holding an enquiry confirming his earlier claim and after referring to W.P.No.27591 of 2023.

3.It must be underscored that the said writ petition was disposed of at least a week prior to the date of his proceedings. On the face of it, there is an open and blatant violation of the orders of this Court.

4.When the matter came up before this Court on 10.11.2023, this Court required the presence of the contemnor, the third respondent herein. The contemnor now appeared and filed an affidavit seeking his unconditional apology.

5.The said affidavit is recorded.



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6.The contemnor is cautioned he shall refrain from taking on the judicial process of this Country in future.

7.So far as the proceedings dated 28.09.2023 is concerned, this cannot now stand as it is a product of contempt committed by the third respondent.

8.The learned counsel for the petitioner informs the Court that he has received a communication dated 05.10.2023 from CGRF that his complaint before the forum was closed.

9.The learned counsel for the respondent TANGEDCO however, informs the Court that the said order has since been recalled.

10.Even if the proceedings has not been recalled, it cannot be sustained in law. If the proceedings dated 28.09.2023 had been recalled, then the CGRF, presided by some other Superintending Engineer may have to commence his enquiry, and if it has not been recalled, now Vide this



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order this Court recalls the proceedings of the third respondent dated 28.09.2023.

11.The Contempt Petition is accordingly closed. No costs. Consequently, the connected application is closed.

08.12.2023

Internet : Yes /No
Index : Yes /No
Tsg

To

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N.SESHASAYEE, J.,

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